

SENATE No. 84

The Commonwealth of Massachusetts

PRESENTED BY:

Marian Walsh

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to reckless endangerment of persons with disabilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Marian Walsh	Suffolk and Norfolk
Bruce E. Tarr	First Essex and Middlesex
Willie Mae Allen	6th Suffolk
Richard J. Ross	9th Norfolk
Kathi-Anne Reinstein	16th Suffolk
Barbara A. L'Italien	18th Essex
Susan C. Fargo	Third Middlesex
Jennifer M. Callahan	18th Worcester
Thomas M. Stanley	9th Middlesex
Denise Provost	27th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S01143 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO RECKLESS ENDANGERMENT OF PERSONS WITH DISABILITIES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Subsection (a) of section 13K of chapter 265 of the General Laws, as appearing in
2 the 2006 Official Edition, is hereby amended by striking out the definition of “Person with a disability”
3 and inserting in place thereof the following definition:-

4 “Person with a disability”, a person with a permanent or long-term physical or mental impairment that
5 prevents or restricts the individual’s ability to provide for his own care or protection or a person who, as a
6 result of inadequately developed or impaired intelligence, is substantially limited in his ability to learn or
7 adapt to function in the community.

8 SECTION 2. Section 13L of said chapter 265, as so appearing, is hereby further amended by
9 inserting after the definition of “Child” the following definition:-

10 “Person with a disability”, a person with a permanent or long-term physical or mental impairment that
11 prevents or restricts the individual’s ability to provide for his own care or protection or a person who, as a
12 result of inadequately developed or impaired intelligence, is substantially limited in his ability to learn or
13 adapt to function in the community.

14 SECTION 3. Said section 13L of said chapter 265, as so appearing, is hereby further amended by
15 inserting after the figure “265”, in line 8, the following words: - ; indecent assault and battery on a
16 mentally retarded person under section 13F of chapter 265.

17 SECTION 4. Said section 13L of said chapter 265, as so appearing, is hereby further amended by
18 inserting after the word “child”, in lines 16 and 23, the following words, in each instance:- , “a person
19 with a disability.”.